

STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF ENVIRONMENTAL QUALITY

"Better Service for a Better Environment"

HOLLISTER BUILDING, PO BOX 30473, LANSING MI 48908-7873

INTERNET: www.deq.state.mi.us

RUSSELL J. HARDING, Director

REPLY TO:

SE MICHIGAN DISTRICT OFFICE
38000 SEVEN MILE RD
LIVONIA MI 48152-1006

February 25, 2000

Ms. Jerri Oreskovich
Cargill Salt, Inc.
916 South Riverside Ave.
St. Clair, MI 48079

SRN: A6240

LETTER OF VIOLATION

Dear Ms. Oreskovich

On July 6, 1999, the Air Quality Division (AQD), Department of Environmental Quality, conducted an inspection of your facility's air emission sources located at 916 South Riverside Ave. St. Clair, Michigan. The purpose of this inspection was to determine your facility's compliance with the requirements of Section II, Air Pollution Control, part 55 of Act 451 of 1994, the administrative rules, the New Source Performance Standards (NSPS) for Nonmetallic Mineral Processing Plants, 40 CFR, Part 60 Subpart OOO, and the conditions of your Air Use Permits.

On July 29, 1999, the AQD sent the company a letter of violation citing NSPS OOO violations. Based on the results of your stack test submitted on February 1, 2000, the following Emission Groups are still considered to be in violation of the NSPS OOO. In addition, it has been brought to AQD's attention that certain Emission Groups have been operating in violation of Rule 201.

Process Description	Citation of Rule or Permit	Comments
EGSCREENING	Rule 336.1201	Installed and operated an Emission Group without an Air Quality Permit.
EGPRETZEL	Rule 336.1201	Installed and operated an Emission Group without an Air Quality Permit.
	NSPS 40 CFR, Part 60, Subpart OOO	Company unable to demonstrate compliance with monitoring, reporting, record keeping and testing requirements of this rule.
EGLOADING	Rule 336.1201	Installed and operated an Emission Group without an Air Quality Permit.
	NSPS 40 CFR, Part 60, Subpart OOO	Company unable to demonstrate compliance with the 0.05 g/dscm particulate emission limit.
EGDURACUBE	NSPS 40 CFR, Part 60, Subpart OOO	Company unable to demonstrate compliance with the 0.05 g/dscm particulate emission limit.

Ms. Jerri Oreskovich
Page 2
February 25, 2000

Rule 201 states:

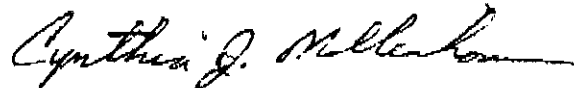
"A person shall not install any process or process equipment, which may emit an air contaminant, unless a permit to install which authorizes such action is issued by the department."

You should immediately initiate necessary actions to correct the cited violations. Please submit a report of your program for compliance within 14 calendar days of the date of this letter. At a minimum, your program for compliance should include a completed air use permit application for each of the following Emission Groups: EGPRETZEL, EGLOADING, and EGSCREENING. The report should also explain the cause of the violations, remedial actions taken, what steps are being taken to prevent reoccurrence, and the duration of the violations. If the violations are not resolved by the date of your response, describe what equipment you will install, procedures you will implement, process or process equipment you will shut down, or other actions you will take and by what dates these actions will take place.

Notwithstanding your response to the preceding citations, the Air Quality Division may initiate further enforcement action to address violations of state and federal Air Acts, rules and regulations.

Thank you for your attention to resolving the violations cited above. If you have any questions regarding the violations or the actions necessary to bring your facility into compliance, please call me.

Sincerely,



Cynthia Mollenhour
Environmental Quality Analyst
Air Quality Division
734-432-1265

CJM:VLL

cc: Mr. Gerald Avery, Field Operations Supervisor, AQD
Ms. Barbara Rosenbaum, Compliance & Enforcement Section Chief, AQD
Ms. Lisa Scarpelli, District Supervisor, AQD
Mr. Tom Shanely, Enforcement Specialist, AQD

RECEIVED

FEB 29 2000

AIR QUALITY DIV.



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



STEVEN E. CHESTER
DIRECTOR

December 20, 2006

CERTIFIED MAIL

Mr. Donald Chutas, Plant Manager
Cargill Salt, Inc.
916 South Riverside Avenue
St. Clair, Michigan 48079

St. Clair County, SRN: A6240

Dear Mr. Chutas:

LETTER OF VIOLATION

On December 14, 2006, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), conducted a review process on the January to June 2006 ROP Semi-Annual Certification Report you submitted dated December 4, 2006, of the facility located at 916 S. Riverside Avenue, St. Clair, Michigan. The purpose of the review process was to determine Cargill Salt's compliance with the requirements of the Federal Clean Air Act; Article II, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451); the administrative rules; and the conditions of your RO Permit No. 199700084.

During the review process, AQD staff verified the following air pollution violations:

Process Description	Rule/Permit Condition Violated	Comments
RO Permit No. 199700084	1. R 336.1213 2. General Condition No. 23	Late submittal of the ROP Report Certification. The January to June 2006 Semi-Annual report was received December 5, 2006, instead of the due date of September 15, 2006.
ROP No. 199700084 FGOOO (EGSCREENING)	1. Table F-01.3(V)(1) 2. R336.1910	The magnehelic gauge pressure differential readings were beyond the 4.7 and 8.8 inches water range on Marcy 8, 2006, and March 27, 2006, as reported in the January to June 2006 ROP Semi-Annual Deviation Report.
ROP No. 199700084 FGOOO	1. Table F-01.3(III)(A)(3)(1) 2. R336.1910	The operator failed to record daily differential pressure and scrubbing liquid flow rate for May 6, 7, 12, 13, & 14, 2006, as reported in the January to June 2006 ROP Semi-Annual Deviation Report.

AQD staff observed that Cargill Salt missed the January to June 2006 ROP Semi-Annual Certification Report submittal which resulted in a follow-up telephone call to Mr. Anthony Hodny, Cargill Salt contact person. Upon receipt and review of the submittal, AQD staff observed several reported deviations in the ROP Semi-Annual Deviation Report attachment. These deviations were in violation of the ROP No. 199700084 applicable requirements as reflected in the above table.

You should immediately initiate necessary actions to correct the cited violations. Additionally, please submit a report of your program for compliance with the above violations by January 10, 2007, which coincides with 21 calendar days from the date of this letter. At a minimum, this report should explain the causes and duration of the violations, whether the violations are ongoing, remedial actions taken, and what steps are being taken to prevent a reoccurrence. If the violations are not resolved by the date of your response, describe what equipment you will install, procedures you will implement, processes or process equipment you will shut down, or other actions you will take and by what dates these actions will take place.

Be aware that state and federal air pollution regulations prohibit your company from obtaining any new air use permits for major offset sources located in Michigan until the cited violations are corrected or until you have entered into a legally enforceable order or judgment specifying an acceptable program and schedule for compliance.

Notwithstanding your response to the preceding citations, the AQD may initiate further enforcement action to address violations of state and federal Air Acts, rules and regulations.

Thank you for your attention to resolving the violations cited above. If you have any questions regarding the violations or the actions necessary to bring your facility into compliance, please call me at the number listed below.

Sincerely,



Remilando Pinga
Senior Environmental Engineer
Air Quality Division
586-753-3744

RP:VL

cc: Ms. Sheri Ofiara, Cargill Salt, Inc.
Mr. Farro Assadi, USEPA Region V
Mr. Gerald Avery, DEQ
Mr. Thomas Hess, DEQ
Ms. Teresa Seidel, DEQ
Mr. Christopher Ethridge, DEQ
Mr. Richard Tazsreak, DEQ



STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



STEVEN E. CHESTER
DIRECTOR

JENNIFER M. GRANHOLM
GOVERNOR

June 26, 2003

RECEIVED

MAR 22 2006

AIR ENFORCEMENT BRANCH,
U.S. EPA, REGION 5

CERTIFIED MAIL

Ms. Janice Richards
916 South Riverside Avenue
St. Clair, MI 48079

SRN: A6240 St. Clair County

Dear Ms. Richards:

LETTER OF VIOLATION

On April 15, 2003, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), collected fly ash samples from Cargill Salt, 916 South Riverside, Michigan. The purpose of collecting these fly ash samples was to determine if the samples matched alleged fallout dust collected from a resident's house near the facility on March 25, 2003. The fly ash samples were also collected to determine Cargill Salt's compliance with the requirements of the Federal Clean Air Act; Article II, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451); and the administrative rules. Results of microscopic analysis performed on both the fly ash samples and the alleged fallout dust sample indicate that approximately 10% of the fallout material matches Cargill's fly ash sample. Based on the results of this investigation, the following air pollution violation has been identified:

Process Description	Rule/Permit Condition Violated	Comments
EGBOILER5	R336.1901(b)	"...A person shall not cause or permit the emission of an air contaminant or water vapor in quantities that cause, alone or in reaction with other air contaminants...unreasonable interference with the comfortable enjoyment of life and property."

A copy of the lab analysis summary is attached to this letter. The summary also describes observations made on fly ash samples collected from both the Detroit Edison Belle River and St. Clair coal-fired boilers.

Ms. Janice Richards
June 26, 2003
Page 2

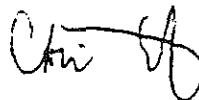
Cargill Salt signed and entered into Consent Order #7-2001 as a result of violations cited by AQD staff between October 1998-July, 2000. This letter acknowledges that EGBOILER5 is covered under Consent Order #7-2001.

Cargill Salt should immediately initiate necessary actions to correct the cited violation. Additionally, please submit a report of Cargill Salt's program for compliance with Rule 901 by July 16, 2003. At a minimum, this report should explain the causes of the violation, remedial action taken, what steps are being taken to prevent a reoccurrence, and the duration of the violation including whether the violations are ongoing. If the violation is not resolved by the date of Cargill Salt's response, describe what equipment Cargill Salt will install, procedures Cargill Salt will implement, processes or process equipment Cargill Salt will shut down, or other actions Cargill Salt will take and by what dates these actions will take place.

Notwithstanding Cargill Salt's response to the preceding citation, the AQD may initiate further enforcement action to address violations of state and federal Air Acts, rules and regulations.

Thank you for your attention to resolving the violation cited above. If you have any questions regarding the violation or the actions necessary to bring Cargill Salt into compliance, please call me at the number listed below.

Sincerely,



Chris Ethridge
Senior Air Quality Analyst
Air Quality Division
(734) 953-1462

CE:JMS
Attachment

cc: Mr. Gerald Avery, Field Operations Supervisor, DEQ
Mr. Thomas Shanley, Acting Enforcement Unit Supervisor, DEQ
Ms. Teresa Seidel, Southeast Michigan District Supervisor DEQ
Mr. Marwan Khuri, Southeast Michigan Assistant District Supervisor DEQ
Mr. Richard Tazsreak, Enforcement Specialist, DEQ



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



STEVEN E. CHESTER
DIRECTOR

February 19, 2004

RECEIVED

MAR 22 2006

AIR ENFORCEMENT BRANCH,
U.S. EPA, REGION 5

CERTIFIED MAIL

Mr. Dan Taylor
Cargill Salt
916 South Riverside Avenue
St. Clair, MI 48079

St. Clair County, SRN: A6240

Dear Mr. Taylor:

LETTER OF VIOLATION

On February 3, 2004, the Department of Environmental Quality (DEQ), Air Quality Division (AQD), received a copy of the Semiannual and Annual Deviation reports for Cargill Salt, 916 South Riverside Avenue, St. Clair, MI 48079, as required by the facility's Renewable Operating Permit (ROP) #199700084 and the Semiannual Deviation reporting requirements found in New Source Performance Standards (NSPS) Subpart OOO (40 CFR 60.676(d)). In the reports, Cargill Salt identified several deviations dealing with malfunctions of air pollution control equipment related to the salt processing equipment and also failed to conduct required visible emissions observations. These deviations are violations of Cargill Salt's ROP and (where indicated) Consent Order (CO) #7-2001 and are listed below:

Process Description	Rule/Permit Condition Violated	Comments
FG-000	<ul style="list-style-type: none">• ROP #199700084 Table F-01.3 Special Condition #III.A.3.1.• R336.1910• CO #7-2001 Paragraph #10A	The flowmeter failed from 05/14/03 to 06/03/03.
FG-000 (EGPACKAGING)	<ul style="list-style-type: none">• ROP #199700084 Table F-01.3 Special Condition #I.C.1.• R336.1910	The magnehelic gauge was not operating properly from 08/25/03 to 08/28/03.
FG-000 (EGSCREENING)	<ul style="list-style-type: none">• ROP #199700084 Table F-01.3 Special Condition #I.C.1.• R336.1910	The magnehelic gauge was not operating properly from 09/10/03 to 09/11/03.

Process Description	Rule/Permit Condition Violated	Comments
FG-000	ROP #199700084 Table F-01.3 Special Condition #III.A.3.2.	Visible emissions observations were not completed from 05/18/03 to 06/02/03. The condition requires at least one reading per seven days.
EGGRINDER	ROP #199700084 Table E-01.4 Special Condition #III.A.3.2.	Visible emissions observations were not completed from 05/18/03 to 06/02/03. The condition requires at least one reading per seven days.
FGRULE290	ROP #199700084 Table F-01.1	Visible emissions observations were not completed from 04/03 to 06/03. The condition requires at least one reading per month
FG-000	ROP #199700084 Table F-01.3 Special Condition #III.B.6.	A Method Nine reading for visible emissions was not completed during 2003. The condition requires at least one Method Nine reading per year.

Cargill Salt signed and entered into CO #7-2001 as a result of violations cited by the AQD staff between October 1998-July 2000. This letter acknowledges that the processes listed above are covered under CO #7-2001. Specifically, a Malfunction Abatement Plan (MAP) was included in the CO as Attachment A-1 of Appendix A to assure that Cargill Salt would prevent, address and quickly correct any malfunctions which occur at the plant including the processes listed above.

Cargill Salt should immediately initiate necessary actions to correct the cited violations. Additionally, please submit a report of Cargill Salt's program for compliance with the violations listed above by March 15, 2004. At a minimum, this report should explain the cause(s) of the violations, remedial action taken, what steps are being taken to prevent a reoccurrence, and the duration of the violations including whether the violations are ongoing. If the violations are not resolved by the date of Cargill Salt's response, describe what equipment Cargill Salt will install, procedures Cargill Salt will implement, processes or process equipment Cargill Salt will shut down, or other actions Cargill Salt will take and by what dates these actions will take place. Your report should include a revised MAP to include the actions taken, or proposed to correct and prevent reoccurrence of the reported deviations.

Notwithstanding Cargill Salt's response to the preceding citation, the AQD may initiate further enforcement action to address violations of state and federal Air Acts, rules and regulations.

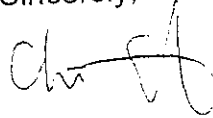
Mr. Dan Taylor

3

February 19, 2004

Thank you for your attention to resolving the violation cited above. If you have any questions regarding the violation or the actions necessary to bring Cargill Salt into compliance, please call me at the number listed below.

Sincerely,



Chris Ethridge
Senior Air Quality Analyst
Air Quality Division
(734) 953-1462

CE:VL

cc: Mr. Gerald Avery, Field Operations Supervisor, DEQ
Mr. Thomas Hess, Enforcement Unit Supervisor, DEQ
Ms. Teresa Seidel, Southeast Michigan District Supervisor, DEQ
Mr. Marwan A. Khuri, Southeast Michigan Assistant District Supervisor, DEQ
Mr. Richard Taszreak, Enforcement Specialist, DEQ

LOV

Chris

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
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Mr. Dan Taylor Cargill Salt 916 South Riverside Avenue St. Clair, MI 48079	
Sent To	
Street, Apt. No., P.O. Box No.	
City, State, ZIP+4	
PS Form 3800, May 2000	
See Reverse for Instructions	



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



STEVEN E. CHESTER
DIRECTOR

May 25, 2004

RECEIVED

MAR 22 2006

CERTIFIED MAIL

AIR ENFORCEMENT BRANCH,
U.S. EPA, REGION 5

Mr. Dan Taylor
Cargill Salt
916 S. Riverside Avenue
St. Clair, MI 48079

SRN: A6240 St. Clair County

Dear Mr. Taylor:

LETTER OF VIOLATION

On April 30, 2004, the Department of Environmental Quality (DEQ), Air Quality Division (AQD) collected fly ash samples from Cargill Salt, 916 South Riverside, St. Clair, Michigan. The purpose of collecting these fly ash samples was to determine if the samples matched alleged fallout dust collected on the same date from a resident's house near the facility. The fly ash samples were also collected to determine Cargill Salt's compliance with the requirements of the Federal Clean Air Act; Article II, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451); and the administrative rules. Results of microscopic analysis performed on both the fly ash samples and the alleged fallout dust sample indicate that approximately 40% of the fallout material matches Cargill's fly ash sample. Based on the results of this investigation, the following air pollution violation has been identified:

Process Description	Rule/Permit Condition Violated	Comments
EGBOILER5	R336.1901(b)	"...A person shall not cause or permit the emission of an air contaminant or water vapor in quantities that cause, alone or in reaction with other air contaminants...unreasonable interference with the comfortable enjoyment of life and property."

A copy of the lab analysis summary is attached to this letter.

Mr. Dan Taylor
Page 2
May 25, 2004

Cargill Salt signed and entered into Consent Order #7-2001 as a result of violations cited by AQD staff between October, 1998 and July, 2000. This letter acknowledges that EGBOILER5 is covered under Consent Order #7-2001.

Cargill Salt should immediately initiate necessary actions to correct the cited violation. Additionally, please submit a report of Cargill Salt's program for compliance with Rule 901 by June 15, 2004. At a minimum, this report should explain the causes of the violation, remedial action taken, what steps are being taken to prevent a reoccurrence, and the duration of the violation (including whether the violations are ongoing). If the violation is not resolved by the date of Cargill Salt's response, describe what equipment Cargill Salt will install, procedures Cargill Salt will implement, processes or process equipment Cargill Salt will shut down, or other actions Cargill Salt will take and by what dates these actions will take place.

Notwithstanding Cargill Salt's response to the preceding citation, the AQD may initiate further enforcement action to address violations of state and federal Air Acts, rules and regulations.

Thank you for your attention to resolving the violation cited above. If you have any questions regarding the violation or the actions necessary to bring Cargill Salt into compliance, please call me at the number listed below.

Sincerely,



Chris Ethridge
Senior Air Quality Analyst
Air Quality Division
(734) 953-1462

CE:VL
Attachment

cc: Mr. Gerald Avery, Field Operations Supervisor, DEQ
Mr. Thomas Hess, Enforcement Unit Supervisor, DEQ
Ms. Teresa Seidel, Southeast Michigan District Supervisor DEQ
Mr. Marwan Khuri, Southeast Michigan Assistant District Supervisor DEQ
Mr. Richard Taszreak, Enforcement Specialist, DEQ

CARGILL
SALT DIVISION

916 S. Riverside Ave.
St. Clair, MI 48079-5335
313/329-2214

RECEIVED

MAR 15 2000

AIR QUALITY DIV.

March 10, 2000

Ms. Cynthia J. Mollenhour
Environmental Quality Analyst
Michigan Department of Environmental Quality
Air Quality Division
Southeast Michigan District Office
38980 West Seven Mile Road
Livonia, MI 48152-1006

RECEIVED
APR 27 2000
AIR ENFORCEMENT BRANCH
U.S. EPA, REGION 5

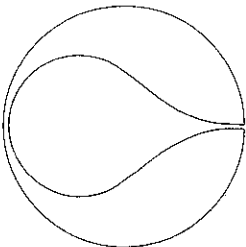
Re: MDEQ Letter of Violation, dated February 25, 2000
Cargill Salt Inc., St. Clair, MI
SRN# A6240

Dear Ms. Mollenhour:

I am in receipt of the Michigan Department of Environmental Quality's (MDEQ) letter of violation dated February 25, 2000, in which the Agency alleged violations of Permit to Install and New Source Performance Standard (NSPS) requirements for four units. You requested a report of our corrective actions, as well as information concerning the cause of the violations, remedial actions taken, and duration of violation. The following report focuses first on the alleged permit to install violations before turning to the alleged NSPS violations.

I. Alleged violations of Rule 336.1201

The Letter of Violation alleges that three sources were installed without a Permit to Install as required by Rule 336.1201. These sources are the EGSCREENING (Fourth and Fifth Floor Scrubber); EGLOADING (Bulk Salt Loading Scrubber); and EGPRETZEL (Auxiliary Third Floor Scrubber). In the interest of fully resolving these issues with the MDEQ, Cargill's corrective action plan is to submit a complete permit application for each of the three sources by March 17, 2000.



Although we are submitting the permit applications, Cargill is still reviewing whether the lack of Permits to Install for the Fourth and Fifth Floor Scrubber and Bulk Salt Loading Scrubber constitutes a violation of Rule 201. The Fourth and Fifth Floor Scrubber was installed in 1969 by Diamond Crystal Salt Company, then the facility's owner. Based on our review of existing records, the most recent modification of the numerous processes controlled by this source was in 1983. The Bulk Salt Loading Scrubber was installed in 1974 by Diamond Crystal Salt Company, then the facility's owner. Based on our review of existing records, the most recent modification of any process controlled by this source was in March, 1990.

Cargill believes that both the prior facility owners and MDEQ historically believed these sources were exempt. For example, in its detailed facility inspection report of January 22, 1997, a copy is enclosed, the MDEQ specifically lists the Fourth and Fifth Floor Scrubber and Bulk Salt Loading Scrubber as emission points 13 and 15, respectively, and notes that they are "exempt". Elsewhere in the report two sources are included on a list "of the unpermitted processes/equipment that I have found at the facility that should be included in the ROP." The report continues "Most of the items listed below would be exempt from an air use permit based on Rule 279, or would be considered grandfathered." The MDEQ advised the then owner, Akzo Nobel Salt, that it should evaluate the processes controlled by the Fourth and Fifth Floor Scrubber to determine if a permit was necessary, but that the control device was exempt per Rule 279. There was no further comment on the determination that the Bulk Salt Loading Scrubber was exempt. Akzo Nobel Salt subsequently included both sources in its Title V permit application.

As indicated by the corrective action, Cargill is more than willing to cooperate and apply for a Permit to Install for these sources on a prospective basis. However, we are very concerned by the MDEQ's consideration of additional enforcement on these alleged violations and are evaluating whether the MDEQ's initial determination that these sources were exempt and/or grandfathered was in fact correct. In the event there is a violation, we conclude it was caused by an apparent lack of understanding of the regulatory requirements by both the prior facility owners and the MDEQ at the time these sources were installed, i.e. before 1990, and subsequently.

Cargill purchased only the assets of Akzo Nobel Salt on April 26, 1997, and as such has no legal liability for the acts of Akzo Nobel Salt or its predecessors. In the event the MDEQ elects to pursue additional enforcement, the duration of any alleged violation would be no more than from the date of acquisition to the present. However, we question whether additional enforcement is appropriate. Cargill has no responsibility for the act that gave rise to the alleged violation, the failure to obtain a permit prior to installing the equipment. There was regulatory uncertainty in the MDEQ had previously held these sources to be exempt. Finally, Cargill has sought to diligently cooperate with the MDEQ to address its concerns.

With respect to the Auxiliary Third Floor Scrubber, when Cargill acquired the facility, this scrubber was initially installed in 1978 which the MDEQ had previously determined to be

Ms. Cynthia J. Mollenhour

March 10, 2000

Page 3

exempt. Unfortunately, this scrubber was ineffective at controlling fugitive dust on the third floor. June, 1999, Cargill replaced the scrubber with a new one to improve the air quality within the facility.

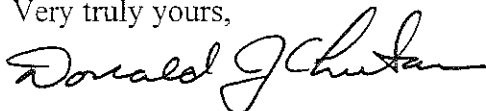
II. Alleged Violations of 40 CFR Subpart OOO

The letter of Violation also alleged that three sources are not in compliance with the NSPS, Subpart OOO. These sources are the Bulk Salt Loading Scrubber, the EGDURACUBE (Duracube Scrubber); and Auxiliary Third Floor Scrubber. As noted in the Letter, the MDEQ has issued an earlier Letter of Violation with respect to these alleged violations to which Cargill has responded. Additionally, on February 24, 2000, Cargill sent the MDEQ an update of its compliance plans for these sources. This letter addresses most of the information requested in the Letter of Violation and I've enclosed a copy for your reference. Work is proceeding on the schedule outlined in the February 24th letter and we anticipate being ready to re-test these sources shortly after March 17th. We understand that Michigan rules provide that sources give the MDEQ sixty days notice prior to conducting a stack test. We share the MDEQ's desire to demonstrate that these emission units are in compliance as soon as possible. We will be contacting the MDEQ in the near future to discuss its willingness to conduct the performance test on shorter notice than sixty days.

The cause of the alleged NSPS violations is similar to that of the alleged permit to install violations. Historically, neither the prior facility's owners nor the MDEQ apparently believed that NSPS Subpart OOO was applicable to the facility. For example, the January 22, 1997 MDEQ inspection report did not check the NSPS applicability box on the first page nor make reference to NSPS Subpart OOO standards in the detailed inspection. It is Cargill's understanding that the determination that NSPS Subpart OOO was initially made by Akzo Nobel Salt in its Title V permit application. Unfortunately, Akzo Nobel Salt did not undertake any testing to demonstrate compliance with the NSPS Subpart OOO and the MDEQ has historically not required scrubber stack testing by the facility prior owners. Cargill is not legally responsible for any alleged violations at the facility prior to its acquisition in April, 1997. As reflected in its earlier responses to MDEQ, Cargill is working diligently to bring all emission units into compliance with this standard.

If you have any questions, please do not hesitate to contact Jerri Oreskovich at (810) 326-2776 or me at (810)326-2829.

Very truly yours,



Donald J. Chutas

Assistant Plant Manager

Ms. Cynthia J. Mollenhour

March 10, 2000

Page 4

Enclosures: Inspection Report, dated January 27, 1997
Letter to MDEQ, dated February 24, 2000

cc: T. Shanley/ MDEQ
G. Rimmey/ Cargill Salt, Minneapolis
W. Flederbach, Jr./ O'Brien & Gere

185290

313-773-5988
800-733-5988
313-773-6537

Trace Analytical Laboratories, Inc.
2241 Black Creek Road
Muskegon, MI 49444-2616
traceanalytical@mad.science.com

TRACE

Assurance
Accuracy
Accountability

May 6, 2004

Mr. Chris Ethridge
Michigan Department of Environmental Quality
38980 7 Mile Road
Livonia, MI 48152

Trace ID: EE044

Dear Mr. Ethridge:

Trace Laboratories has completed the microscopic examination of the four (4) particulate samples submitted to our laboratory on May 4, 2004. This examination was conducted using a dissecting light microscope at 30 X magnification and a compound binocular light microscope at 100 X magnification.

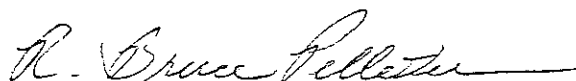
The morphology of the fly ash in samples A and B was observed to be similar to that of the Cargill Salt fly ash sample. The fly ash in these samples appeared as black nodules, which were an aggregate of many smaller particles. The nodules were friable when prodded with a biology pick and exhibited a distinct metallic luster when viewed under the dissecting light microscope.

The morphology of the fly ash in Sample C appeared to be different from that of samples A, B and the Cargill material. This material was also an aggregate, but the black nodules were smaller in size and were more easily broken apart when prodded with the biology pick. These nodules also lacked the metallic luster characteristic of the other samples.

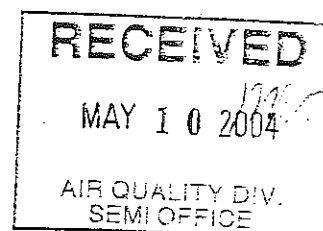
Sample A was observed to contain approximately 30-40% fly ash while Sample B contained approximately 50-60% fly ash. Sample C contained only about 10-20% fly ash. The remaining materials composing these samples were small grains of sand, dust and fibers.

It has been a pleasure assisting you in the interest of the Michigan Department of Environmental Quality. Please do not hesitate to contact me if you have any questions.

Sincerely,



R. Bruce Pelletier
President



A6240
manila

916 S. Riverside Ave
St. Clair, MI 48079
810-326-2822 (phone)
810-329-6560 (fax)
janice_richards@cargill.com

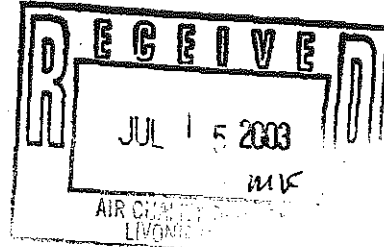
July 14, 2003

Mr. Chris Ethridge
MDEQ – Air Quality Division
SE Michigan District Office
38980 Seven Mile Road
Livonia, Michigan 48152

RECEIVED

MAR 22 2006

AIR ENFORCEMENT BRANCH,
U.S. EPA, REGION 5



Subject: Letter of Violation, June 26, 2003
Cargill Salt, St. Clair, MI - SRN# A6240

Dear Mr. Ethridge:

This letter is in response to the Michigan Department of Environmental Quality's (MDEQ) Letter of Violation dated June 26, 2003, in which the Agency cites a possible violation of Rule 901. This Letter of Violation resulted from a residential neighbor's complaint of alleged fallout dust made to MDEQ on March 25, 2003. Based on the limited observations made in this case, Cargill was both surprised and disappointed by MDEQ's decision to issue the Letter of Violation.

A single visual observation concluded that "about 10% of the sample contains particles consistent with fly ash similar to #0302567", it does not determine the source of the remaining 90% of the sample. Without that primary source being identified and addressed, Cargill does not believe the facts support a determination that the conditions caused "unreasonable interference with the comfortable enjoyment of life and property".

Cargill received a complaint from the neighbor via voice mail on the evening of March 14, 2003. Cargill made at least five attempts to contact the neighbor but was unable to meet or talk with him to discuss his concerns. We did speak to his wife who was unfamiliar with the complaint and we left messages on their answering machine requesting the complainant return the call. He did not respond.

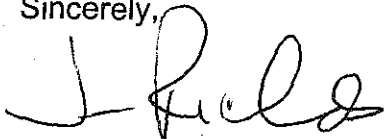
Cargill reviewed its operations for the month preceding the complaint and did find one process upset for that timeframe. This was a total facility emergency shutdown that occurred on March 4, 2003 due to a car hitting a nearby utility pole that fed electricity to the facility. Upon startup, Cargill experienced some opacity exceedances. Although this was a circumstance completely outside of Cargill's control, it was addressed, corrected, and reported to MDEQ in the first quarter Excess Emission Report.

Cargill has made a number of improvements to Boiler No. 5 and the coal handling system. These improvements include eliminating the bulk coal pile; installation of a natural gas co-fire system, a new boiler control system, a Continuous Opacity Monitor, new stokers, and the installation of Boiler No. 10 to handle swing loads. From May 2 – 11, 2003, Cargill shutdown Boiler No. 5 and completely rebuilt half of the mechanical collector and installed ductwork to separate the overfire air system. This ductwork will help to handle excessive fines in the coal that is received. The remaining half of the mechanical collector is scheduled to be rebuilt by the end of the 2003. As you can see, Cargill has made a good faith effort to address concerns from its neighbors and continues to make improvements to the Powerhouse.

Cargill understands that MDEQ is seeking to find a resolution to this matter and that the Letter of Violation is one way to do that. Cargill would propose that in the future, MDEQ continue to work with Cargill and the neighbor to resolve this matter by identifying the primary source of the problem as well as the best possible solution to prevent reoccurrences. Cargill would also like to encourage MDEQ to continue to work with the Ontario, Canada representatives to obtain split samples of the coal and fly ash from their coal burning facilities.

Cargill appreciates MDEQ allowing us an opportunity to respond in this matter. If you have any additional questions, please do not hesitate to contact me.

Sincerely,



Janice Richards
Environmental Coordinator

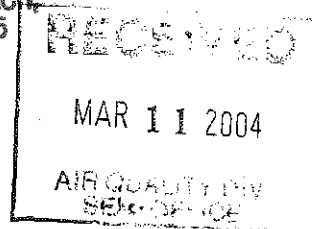
cc: Dan Taylor
Don Chutas
Gene Chauffe
Wade Richards



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MAR 22 2006

AIR ENFORCEMENT BRANCH
U.S. EPA, REGION 5



CJE
A6240
manila

February 25, 2004

Mr. Chris Ethridge
MDEQ - Air Quality Division
SE Michigan District Office
38980 Seven Mile Road
Livonia, Michigan 48152

Subject: Letter of Violation, February 25, 2004
Cargill Salt, St. Clair, MI - SRN# A6240

Dear Mr. Ethridge:

This letter is in response to the Michigan Department of Environmental Quality's (MDEQ) Letter of Violation dated February 25, 2004, in which the Agency cites deviations of Cargill's Renewal Operating Permit reported by Cargill in its Semiannual and Annual Deviations reports received by the MDEQ February 3, 2004. The LOV cites deviations in two areas. The first is associated with malfunctioning monitoring equipment on the facilities scrubbers (flow meter and magnehelic gauges) and missed opacity observations.

The LOV cites the following malfunction of parametric monitoring equipment;

- Malfunction of EGPACKAGING flow meter on 5/14/03 through 6/3/03
- Malfunction of EGPACKAGING magnehelic gauge on 8/25/03 through 8/28/03
- Malfunction of EGSCREENING magnehelic gauge on 9/10/03 through 9/11/03

In all three instances the cause of the deviations was equipment malfunction, which are unavoidable event when operating any equipment. What Cargill can improve is availability of replacement parts, particularly in the instance of the first two events. In both of these instances a replacement part was not in stock. The malfunction of the flow meter took longer to rectify due to the longer lead time associated with obtaining a flow meter versus a common magnehelic gauge. In response to these equipment malfunctions Cargill has added 2" Rosemount Flow Meters and Magnehelic gauges to our list of stock items. Cargill's Malfunction abatement plan has been updated to add these gauges to our replacement part items and is enclosed with this letter. Cargill is committed to ensuring that malfunctioning gauges are replaced in a timely manner and we would like to emphasize the following parametric monitor equipment operating percentage since the effective date of the ROP on April 4, 2003;

- The magnehelic gauge on EGPACKAGING operated 99.923% of the time
- The flow meter on EGPACKAGING operated 99.985% of the time
- The magnehelic gauge on EGSCREENING operated 99.993% of the time

- The flow meter on EGSCREENING operated 100% of the time
- The magnehelic gauge on EGPRETZEL operated 100% of the time
- The flow meter on EGPRETZEL operated 100% of the time
- The magnehelic gauge on EGDURACUBE operated 100% of the time
- The flow meter on EGDURACUBE operated 100% of the time

With respect the magnehelic gauge malfunction on 9/10/03, a gauge was in stock and two readings were missed until the Cargill Maintenance department replaced the gauge. Cargill considers this a timely response and do not propose any changes that would change the response in this particular instance.

The likelihood of an actual emission limit exceedence going undetected during the time equipment was not operating is very small. During the 99.923% percent of the time (and greater) the parametric monitoring equipment was operating properly Cargill did not have a single flow or pressure drop reading outside of the range mandated by NSPS OOO. Cargill has implemented numerous equipment improvements and maintenance reliability measures to make this high level of performance possible.

The LOV also cites the omission of several visible emission observations during the year. The weekly visible emission observations that were not completed in accordance with Special Condition #III.A.3.2., were a result of an internal misunderstanding of the responsibility for the observations during a management transition. We reassigned the responsibility from a variety of equipment operators to a smaller group of supervisors who were trained in what to look for in their observations. A system to ensure the weekly observations was put in place in June 2003 and has been working without omission since.

The missed visible emission readings for Table F-01.1 and Table F-01.3 were instances where the new permit conditions were inadvertently missed when summarizing the new permit requirements. These requirements have since been added to Cargill's internal summary of requirements and to Cargill's EHS calendar.

In summary, we have corrected the oversights, increased our parts replacement stock and updated our MAP. All of these will continue to improve our highly effective compliance program. Cargill appreciates MDEQ allowing us an opportunity to respond in this matter. If you have any additional questions, please do not hesitate to contact me.

Sincerely,



Daniel Taylor
Environmental Manager

Enclosures

CERTIFIED MAIL 7002 1510 0000 4922 0659

cc: Don Chutas
Jim Crawford



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MAR 22 2006

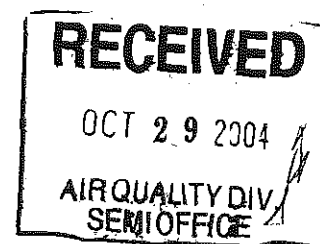
AIR ENFORCEMENT BRANCH,
U.S. EPA, REGION 5

October 26, 2004

Mr. G. Vinson Hellwig, Chief
Air Quality Division
Constitution Hall 3rd Floor
525 West Allegan Street
P.O. Box 30473
Lansing, MI 48909-7973

Re: Termination of Consent Order AQD No. 7-2001

Dear Mr. Hellwig;



In accordance with Paragraph 21 of the above referenced Consent Order, Cargill is hereby requesting that the Air Quality Division terminate said Consent Order. Specifically per paragraph 21 the "Consent Order shall remain in full force and effect for a period of at least three (3) years". The Consent Order went into effect on March 30, 2001 and has been in effect for over three and half years. Cargill has fully complied with all the requirements of the Consent Order.

Since the entry of the order preceded your appointment as Chief of the Air Quality Division, I want to provide a little history of what led to the order and what we have done to fully comply. Cargill Salt bought this plant in 1997 from Akzo Salt. The plant was in a near total state of disrepair, including production and powerhouse equipment. The plant was non-compliant with a number of environmental requirements. Some of those requirements were appropriately brought to our attention by the Air Quality Division's Livonia district staff. Others we learned about from our own due diligence, including a third party air quality audit. Community complaints were directed to salt emissions from our outdoor bulk loading facility, coal dust from our coal pile and occasional boiler emissions. Cargill Salt management was questioning economic viability of the plant, but they made a decision to proceed with environmental and production investments that would make this facility viable in the long run. Before we entered the Consent Order, we resolved the salt emission issues, and replaced the outdoor coal pile with a new coal handling system. The main focus of the Consent Order was therefore to resolve the particulate and opacity issues with the coal fired boilers.

Detailed below are compliance actions that were required to be implemented after the effective date of the consent order. The consent order itself lists many compliance items that were completed by Cargill prior to the effective date of the Consent Order.

Paragraph #	Description & Required Actions	Due Date	Completion Date	Notification Sent
10. A.	Implement MAP on effective date of Consent Agreement	03/30/01	03/30/01	Attachment to consent order

Paragraph #	Description & Required Actions	Due Date	Completion Date	Notification Sent
10.B.	Comply with PTI 83-00 Facility ROP was issued 04/04/03	03/30/01	03/30/01	Attachment to consent order
10.D.7.	Stop use of bulk coal storage and complete new coal system	01/01/01	12/01/00	
10.E.3	Complete Installation of boiler controls by due date or 7 months after PTI is received, which ever is later Notification made	07/31/01	06/23/01	6/26/01
10.E.1	Submit plans and specification to MDEQ and permit application if required – <i>no permit was required</i>	11/01/00	10/05/00	10/05/00
10.E.2	Submit proof of equipment purchase to SE office of MDEQ by due date or 1 week after PTI is issued (if required)	01/06/01	10/03/00	01/04/01
11.A	Install and operate certified continuously recorded opacity monitor (COM) on Boiler 5 by due date or 30 days after completions of Boiler 5 instrumentation	09/01/01	08/01/01	07/24/01
11.A.2	Quarterly Excess Emissions Report		10/29/01	Continuous
11.B.1	Complete stack test within 180 days of installation of COM	02/28/02	2/27/02	12/20/01
12.C	Install and begin operation of natural gas cofire burners Boiler 5 by due date	07/31/01	06/23/01	06/26/01
	Start of requirement for 6% of energy into Boiler 5 to be natural gas	Startup of co-fire	06/23/01	06/26/01
	Submit proof of equipment purchase to SE office of MDEQ by due date or 1 week after PTI is issued	01/06/01	12/15/00	01/04/01
15	Pay \$38,900 to MDEQ within 30 days of Effective date of agreement	04/29/01	04/18/01	04/18/01

As you can see from the table above Cargill has met all the requirements of the consent order in a timely fashion. Cargill continues to meet all the requirements of the order and strives to improve overall operations to better meet regulatory requirements and reduce the environmental impact of our operations. Recent quantitative evidence of this commitment is provided by the most recent stoker coal fired Boiler 5 stack test conducted on August 24, 2004. The average TSP emission rate of 0.126 lbs/1000 lbs of exhaust gas compares favorably to 0.287 lbs/1000 lbs. of exhaust gas measured during the previous compliance test conducted February 27, 2002. The significant coal boiler improvements Cargill has implemented over the past 3 years has enhanced the performance of the boiler allowing us to operate it at full capacity with a TSP emission rate 42% of the permitted limit.

In addition to improvements to this stoker fired boiler, we installed a new natural gas fired boiler to reduce the coal boiler load swings and replace the capacity of other coal boilers that were permanently taken out of service. The investments Cargill salt has made have greatly improved the condition of the plant. We have also heavily invested in the training of boiler house operators, maintenance personnel and others. We have worked closely with your District staff and updated our Preventative Maintenance and Malfunction Abatement Plan as occasional problems with our operations have arisen.

All of this has been very noticeable to the community. Cargill has received numerous positive comments from the residents of St. Clair. In fact many people believe that we no longer combust coal due to the improved operation of the boilers.

I am available to discuss this request at your convenience and look forward to your favorable reply.

Sincerely;

A handwritten signature in black ink, appearing to read "Donald J. Chutas", with a long horizontal flourish extending to the right.

Donald J. Chutas
Plant Manager

cc: Teresa Seidel, Livonia District Supervisor
Dan Taylor
Jerry Rome
Wade Richards



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MAR 22 2006

AIR ENFORCEMENT BRANCH
U.S. EPA, REGION 5

RECEIVED

JUN 17 2005

AIR QUALITY DIV.
SEMI OFFICE

June 13, 2005

Ms. Teresa Seidel
Air Quality Division
Michigan Department of Environmental Quality
27700 Donald Court
Warren, MI 48092-2793

RE: CEM Calibration Violation -Title V ROP Permit No. 199700084

Dear Ms. Teresa Seidel:

On June 7, 2005, Cargill reported a Continuous Emission Monitoring (CEM) instrument out of calibration. This was reported to James Voss on June 7, 2005 at 11:35 am via voicemail message.

May 24 through June 7, 2005, EUBOILER10 (Boiler #10) CEM instrumentation was outside the instantaneous maximum of +/- 10% tolerance for NOx and CO. [Appendix F 4.3.1 to Part 60] The CEM instrument is only used for continuous monitoring of gases and does not change the performance of Boiler #10 when it is out of calibration.

On May 23, Cargill had an instrumentation servicing company on site to service the CEM instrumentation for Boiler #10. During servicing the calibration gas bottle valve was closed. After servicing was completed, the calibration gas was not placed into operation. The lack of calibration gas caused 14 days of NOx and CO readings to deviate over 10% from the standard. False calibration values caused the logging of incorrect values for NOx and CO for 14 days. Immediately after the problem was noticed the CEM instrument was properly calibrated.

A plan to ensure that all out of tolerance instrumentation readings are dealt with immediately is being established. This plan will ensure that all issues with the CEM equipment will be corrected immediately. The Powerhouse operators will have system alarms installed which will make it impossible to neglect or acknowledge an alarm until the problem has been identified and solved.

Please call if you have any questions or concerns regarding this matter.

Sincerely,


Anthony Hodny
EHS Coordinator

cc. Don Chutas
Wade Richards

Cargill
Manda JV



COPY

June 9, 2009

Mr. Tom Gasloli
Technical Programs Unit
Field Operations Sections
MDEQ – Air Quality Division
P.O. Box 30260
Lansing, Michigan 48909-7760

Subject: Violation Notice – RE: EUBOILER5 Opacity Data
Renewable Operating Permit (ROP) Number 199700084

Dear Mr. Gasloli:

This letter is in response to the Violation Notice letter dated May 19, 2009 we received from the MDEQ Air Quality Division citing a violation to ROP 199700084 Table E-01.1 EGBOILER5, III, 1 for failure to operate and maintain, and continuously monitor and record opacity emissions from EUBOILER5 at Cargill's St. Clair, Michigan facility ("Cargill"). As indicated, in Cargill's Q1 2009 Opacity Excess Emission Report ("EER"), there was an extended period, reported at 16.27 percent, of monitor downtime. This increase in opacity monitor downtime was a result of (1) non-monitor equipment malfunctions and (2) monitor equipment malfunctions. Below you will find an explanation of these two causes as well as the corrective actions Cargill took in response to the situation.

Non-Monitor Equipment Malfunctions:

Cargill's central node computer has the responsibility of providing real time data and recording data history, including permit required opacity data. On December 29, 2008, just after the 6:24 PM reading, Cargill lost opacity recording capabilities due to a failure of the central node computer. The recording capability was ultimately restored on January 9, 2009 at 10:59 AM. Cargill first noticed the issue on December 29, 2009 and took immediate action by contacting TEC Engineering, Inc. out of Wichita, Kansas ("TEC"), to troubleshoot the failed computer equipment. TEC determined that the central node computer failed and at Cargill's direction, began work to secure and program a new central node computer. On January 5, 2009, after several days of conducting necessary troubleshooting and system reconfiguration, TEC was able to replace the failed central node computer with a new central node computer. On January 9, 2009, after four days of intermittent success, the central node computer was replaced again with a second central node computer. Since this time, the central node computer has operated with full recording abilities, resolving the issue of not being able to record COM data. In addition, Cargill now downloads all relevant data onto a second computer that operates in parallel of the central node computer, allowing Cargill to retrieve such data in the event of another central node computer system failure.



COPY

Please note that Cargill had an instantaneous readout on its computer system and operated within its normal parameters throughout this entire period. Cargill was not aware that the data was not being recorded until the Q4 2008 EER was compiled in late January 2009. It was at this time Cargill first became aware that data was not available from December 29, 2008 until January 9th, 2009.

Monitor Equipment Malfunctions:

Boiler 5's emissions readings from 7:12 AM on January 14th, 2009 to 3:12 PM on January 20th, 2009 were not representative of typical opacity emissions readings for Boiler 5. Cargill first noticed the abnormality on January 14th, 2009, at which time its onsite electrician assessed the readings and determined that the shutter assembly had malfunctioned, affecting the meter's ability to read opacity correctly. On January 15th, 2009, Cargill consulted with Monitoring Solutions, Cargill's service provider for the Durag Opacity unit, and placed an order for the relevant parts needed to fix the shutter assembly. The parts arrived and were installed on January 20th, 2009. No further issues with emissions readings have arisen since such parts were installed.

Upon receiving the Violation Notice, Cargill contacted TEC in another attempt to retrieve any lost data. Although most data is not retrievable, TEC was able to extract some data during the duration of the first computer replacement of the central node from January 5, 2009 to January 9, 2009. The table below summarizes the dates and number of recorded minutes that were recovered from the originally lost data. The total CEM system downtime was recalculated to be 14.14 percent using the additional data. A corrected copy of the Q1 2009 EER Summary Report page is attached.

	Recorded Minutes Retrieved	Minutes Missed due to Malfunction
1/5/2009	150	1290
1/6/2009	114	1326
1/7/2009	534	906
1/8/2009	1434	6
1/9/2009	516	924
TOTAL	2748	4452



COPY

If you have any questions regarding these corrective actions or need further information, please contact Sheri Ofiara at (810) 989-7544.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith Klug".

Keith Klug
Plant Manager